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NOTICE OF THE SALE OF THE PRIVILEGE OF VENDING TODDY IN INDEPENDENT SHOPS UNDER THE TREE TAX SYSTEM, DURING THE PERIOD 1st APRIL 1960 TO 31st MARCH 1961.

In virtue of the powers conferred by Section 16 of the Travancore Abkari Act IV of 1073 as subsequently amended and all other powers vested in Government in this behalf notice is hereby given that the privilege of manufacturing and vending toddy during the period from 1st April 1960 to 31st March 1961 in independent shops within the tracts shown in the subjoined statement will be put up to public auction shop by shop by any Member of the Board of Revenue or by any officer authorised by the Board of Revenue in this behalf at the places [illegible] mentioned or at such other places as may be notified in the [illegible] dates hereunder mentioned. The Presidents of Co-operative Societies which are certified as sound and capable of discharging their obligations, by the Deputy Registrar of Co-operative Societies having jurisdiction over the Society will be allowed to bid in the auction, on behalf of such Societies on production of such certificate before the auctioning Officer, before the time of auction.

The number of independent shops for the sale of toddy in each of the tracts and also the limits within which the shops are to be located are fixed as per schedule annexed.

Sl. No.	Name of Tract (Taluk)	Place of auction	Date of auction
1	Quilon	Excise Division Office, Quilon	17-3-1960
2	Karunagappally	Taluk Office - Karunagappally	11-3-1960
3	Kunnathur	do. Adoor	10-3-1960
4	* Kottayam	do. Kottayam	8-3-1960
5	Vaikom	do. Vaikom	16-3-1960
6	* † Kanayannur & Cochin	Excise Division Office, Ernakulam	17-3-1960
7	† Alwaye	Taluk Office Alwaye	18-3-1960
8	Ambalapuzha	do. Alleppey	21-3-1960
9	† Mukundapuram	Excise Range Office, Irinjalakuda	22-3-1960
10	Shertallai	Taluk Office, Shertallai	13-3-1960
11	Mavelikara	do. Mavelikara	16-3-1960
12	* Muvattupuzha	do. Muvattupuzha	18-3-1960

* Excluding shops already notified in the Gazette No. 5 dated 2-2-1960.

† Only the shops situated in the erstwhile Travancore area.

THE AUCTION SALE WILL BE HELD SUBJECT TO THE CONDITIONS HEREINAFTER SET FORTH.

General Conditions of Sale.

1. Each intending bidder shall deposit a sum of Rs. 100 (one hundred) as earnest money with the Assistant Excise Commissioner of the Division before the time of sale and he shall obtain a receipt therefor from that Officer. These receipts shall serve also as hall tickets for the admission of the intending bidders to the auction room.

2. Where a person bids as an agent for another he shall not be recognised unless he produces to the officer conducting the sale, a duly executed power of attorney from his principal.

3. The Officer conducting the sale shall cause the notice of sale to be read out in the auction room before he commences the sale.

4. The officer conducting the sale shall be at liberty to exclude any intending bidder on any of the following grounds:—

(1) that he has been convicted by a Criminal Court of offence or offences falling under the Penal Code and involving moral turpitude;

(2) that he has been convicted of any serious offence under the laws relating to a separate revenue;

(3) that he is a defaulter in respect of any Abkari or Opium contract and is now in arrears;

(4) that he is a public servant in the active service of Government;

(5) that he is not a person of good repute;

(6) that he represents the interest of any person who is prohibited from bidding under these Rules;

(7) that in the opinion of such officer such bidder is of doubtful solvency and he is unwilling to deposit such sum as is ordered to be deposited by the said Officer;

(8) that he is a person below 18 years of age.

5. The officer conducting the sale shall put up to auction separately the several items in the notice of sale. The Officer conducting the auction may at his discretion refuse to accept the bid of any person on the ground that his bid is purely speculative or malicious or for any other valid reason.

6. Upset prices will be fixed at the discretion of the officer conducting the sale.

7. The Officer conducting the sale shall be at liberty to close the auction if he is satisfied that there has not been sufficient or fair competition in which case, he may publicly adjourn the sale to a specified hour on the following day or some other convenient day to be notified by him. He may in case of failure to procure satisfactory bids also dispose of shops by private negotiation to parties undertaking to abide by all the conditions of the notice of sale.

8. The Officer conducting the sale shall, as the auction proceeds enter in the sale list against each item put up to auction the name of the person declared by him to be the auction purchaser and the amount of his bid. The sale list shall be signed and dated at the place of sale by the officer conducting the sale and by the persons declared by him to be the auction purchasers.

9. In case of any dispute at the time and place of auction, the decision of the officer conducting the sale shall be final. If for any reason the highest bid is rejected, the next highest bid may be accepted or the item reauctioned.

10. No person declared to be the auction purchaser by the officer conducting the sale shall withdraw from the offer and he shall at once or before the close of the day, make a deposit in cash equivalent to 10 per cent of the amount of his bid or 20 per cent in the case of a bidder, who in the opinion of the officer conducting the sale is a person of doubtful solvency. Should he fail to do so, the earnest money paid by him under clause [illegible] will be forfeited and the right of vend again put to auction by the officer conducting the sale either immediately or on a future date to be notified or otherwise disposed of at the discretion of the Board of Revenue. The defaulter will be debarred from bidding again for the same or any other Abkari privilege during the year and the shop will be resold at the defaulter's risk.

11. As soon as possible after an auction is concluded the earnest money paid by all the unsuccessful bidders shall be returned to them. The hall-tickets of the unsuccessful bidders should at the same time be returned to the Assistant Excise Commissioner who will refund the same at once.

12. No sale shall be deemed binding against the Government unless confirmed by the Board of Revenue who shall be at liberty to accept or reject any bid without assigning any reason. Bidders to whose names auctions are confirmed at the time of the auction are not permitted to transfer or encumber any of their assets to the detriment of the amount that may become due under the contract including the deposits due from them and such transactions if any entered will be deemed void to the extent of the amount due under such contract. In any case in which the Board of Revenue has accepted a bid and such acceptance has been notified to the auction purchaser the Board of Revenue may without assigning any reason revoke the sanction before the installation of the auction purchaser in the business of the shop.

13. Every confirmation of sale shall be communicated to the auction purchaser in writing as soon as possible.

14. On receipt of the order of confirmation of sale, the auction purchaser shall deposit before 31st March 1960, such further sum as with the former deposit will make up not less than three instalments of the rental and execute the necessary agreement and take out the necessary licence. In the case of Societies the deposit shall be the sum as laid down in condition 69 (b), below. On the failure of the auction purchaser to make such deposit or take out such licence or execute such agreement as aforesaid the deposit already made by him will be forfeited and the shop resold or otherwise disposed of by the Assistant Excise Commissioner subject to confirmation by the Board of Revenue. In the case of the death of the auction purchaser before execution of the agreement the same shall be obtained from the heirs of the deceased unless Assistant Excise Commissioner cancels the contract. In the case of the death of an auction purchaser after his installation in the business of the shop his heirs, if any, will be required to produce the necessary legal evidence in support of their claim and on production of the same the shop will be transferred to them. It is open to the Assistant Excise Commissioner to call upon them to furnish additional security if in his opinion it is necessary for the successful working of the contract. If the heirs fail to produce within reasonable time the necessary evidence in support of their claim or to deposit the additional security required, the Assistant Excise Commissioner subject to confirmation by the Board of Revenue may order the resale of the shop or otherwise dispose of the same at the risk of the original purchaser.

15. A resale or other disposal of the shop effected under Clause 10 or 14 will be at the risk of the original auction purchaser who cannot lay claim to any gain accruing from the resale but in the event of loss, he will be required to make good the deficiency between the total amount payable for the whole period under terms of the original sale and the total amount payable by the resale purchaser. In the latter case, the forfeited deposit will be deducted from the loss arising from the resale and the remainder if any, will be recoverable from the defaulter in the same manner as if it were an arrear of Land Revenue. Should however, the forfeited deposit be greater than the loss on resale, the whole of such deposit will be credited to the Government. When the rental fetched at the resale is higher than the original rental the amount of liability against the original purchaser will be calculated at the rate of the original rental up to the date of installation of the resale purchaser in the business of the shop. A defaulting auction purchaser will be [illegible] his privilege is disposed of otherwise than [illegible] resale and such disposal results in loss to the Government [illegible] with the original sale. Disposal otherwise than [illegible]

16. [illegible] purchaser of the privilege is liable to the penalties [illegible] of the conditions under these rules [illegible] has been issued to him. In [illegible] issue of the licence his [illegible] all the moneys that [illegible] under the terms of the licence, [illegible] of all the [illegible] rules.

17. The amount for which the privilege is sold shall represent the dues for an year.

18. The deposits referred to in clauses 10 and 14 will be taken as security for the due performance of the conditions of the licence and the payment of sales tax under the General Sales Tax Act 1125 (Act XI of 1125) on transaction under the licence. Any sum due by a licensee on account of kist or sales tax or otherwise may be adjusted from these deposits and if any adjustment is so made the licensee shall be bound to replace the sum adjusted from his deposits within 15 days of receipt of notice from the Excise Officer in charge of the range in which his shop is situated. The deposits shall be credited towards the kist due for the last three months or more instalments at the close any be of the contract unless previously appropriated under these rules or unless the deposits are required for adjustments towards any amount payable to Government including salestax on transactions under the licence.

CONDITIONS APPLICABLE TO LICENSEES FOR THE PRIVILEGE OF MANUFACTURING AND VENDING TODDY IN INDEPENDENT SHOPS.

19. The sale or possession (except subject to the rules applicable to unlicensed persons) by a licensee of any toddy outside the limits specified in his licence is prohibited.

20. No toddy shop shall be removed outside the limits fixed in the schedule, but with the previous sanction of the Board of Revenue or Assistant Excise Commissioner, it may be removed from one place to another within such limits.

21. It shall be competent to the Board of Revenue to order the transfer of toddy shops from one locality to another or to alter the schedule limits of any shop or with the previous sanction of Government to order any shop to be closed in the interests of public peace or morality or on grounds of expediency.

22. Toddy shall be sold only in a suitable building of which the whole or the whole of a separable part shall be exclusively set apart for use as a shop.

23. The possession or sale upon any licensed premises of any liquor other than that to which the licence relates or of any sweet or unfermented toddy is prohibited.

24. A sign board of the dimensions not exceeding 3' x 1' may be displayed only on the main frontage of the shop. The Board should have a black background with the name and number of the shop and the name of the licensee written in white letters. The Board should not contain any other matter. The licence must be hung up in a conspicuous place within.

25. All toddy kept or offered for sale should be of good quality and unadulterated. Nothing shall be added to it to increase its intoxicating power or for any other purpose.

26. Every officer authorised to inspect shops shall have authority to take possession of any toddy found unfit for consumption or suspected to have been tampered with. The members of the Board of Revenue Deputy Excise Commissioner, the Assistant Excise Commissioners, Excise Inspectors in charge of Ranges and Preventive Officers in charge of Units are empowered to destroy any liquor kept in shops and found to be unfit for consumption or which has been tampered with.

27. The sale or transport of toddy by persons below the age of 18 or persons suffering from leprosy or other contagious disease and the employment of such persons in shops for the sale or transport of the toddy are prohibited.

28. The Assistant Excise Commissioner may fix the working hours of shops in each area according to his discretion subject to the condition that the total working hours shall not exceed twelve hours in a day and no shop shall open earlier than 8 a.m. or close later than 9 p.m. except on special occasions like feasts and festivals.

30. No drunkenness, riot or gambling shall be permitted within the shops and no persons of notoriously bad character shall be permitted to meet or remain therein. Intimation of any offence committed or of the presence of habitual offenders or disorderly persons shall be given by the licensed shop-keepers to the nearest Magistrate or Police Station. No person shall be admitted or allowed to remain in any shop for any illegal or immoral purpose.

31. No toddy shall be sold or given—

(a) without the permission in writing of the Commanding Officer or of some person duly authorised by him in that behalf to—

(1) any non-commissioned officer, private or soldier;

(2) any Camp follower;

(3) any member of the families of any of the aforesaid persons.

(b) Whilst on duty to—

(1) any non-commissioned officer, private or soldier or any member of the Police force;

(2) any officer of the Excise Department.

(3) any servant of a Railway company.

(c) In any circumstances to—

(1) any Vagrant under escort of the Police;

(2) any person under 18 years of age;

(3) any insane person; or

(4) any person known or believed to be intoxicated.

32. Shops situated on or adjacent to the line of march shall be closed as may be ordered by the Board of Revenue while a Regiment or detachment of the Defence Forces is passing or is encamped in the vicinity. Every shop keeper shall on his own motion close his shop when there is riot or disturbance in the neighbourhood.

33. No toddy in excess of the quantity prescribed by Government for possession without a license, viz., half a gallon or 24 drams shall be allowed to be removed, by any person at any one time from any licensed premises without a valid permit obtained from the officer in charge of the Excise Range or Division within the range or within the Division respectively. The licensee is not competent to issue permits under this rule.

33. Every shop shall be kept open as prescribed in clause 24 unless its temporary or permanent closure is authorised or ordered by the Board of Revenue. In every shop such supply of toddy as the Board of Revenue or the Assistant Excise Commissioner in charge of the Division may consider sufficient to meet the local requirements shall be maintained. Shops not opened before the 1st May 1960 and shops once opened but in which the sales have been discontinued for more than 30 days consecutively shall be liable to be resold at the risk of the licensees.

34. No toddy shall be sold in shops except for cash.

35. Every licensee shall maintain in his shop from day to day true accounts of the transactions which shall be written in ink in the form prescribed by the Board of Revenue. Such accounts shall be in printed books which can be obtained from the Excise Department on payment of cost price and shall be produced for the inspection of the officers authorised to inspect such shops.

36. Such returns and informations as may be required by the Board of Revenue and Excise officers from time to time shall be furnished by every licensee.

37. Every licensee shall be bound to report to the Board of Revenue or the Assistant Excise Commissioner in charge of the Division, all instances which come to his knowledge of any person employed by him in the privilege of sale of toddy committing breaches of the abkari or opium laws or rules passed thereunder and to comply with any order of the Board of Revenue or the Assistant Excise Commissioner in charge of the Division to discontinue the employment of such person.

38. The licensee shall maintain in his shop an inspection note-book with the pages numbered consecutively for inspecting officers to enter their remarks in.

39. It shall be competent to the Board of Revenue to set aside, modify or otherwise revise an order passed by any Excise Officer subordinate to the Board.

40. No toddy other than that drawn from the cocoanut, palmyrah or choondapana palms shall be sold by the licensee.

41. The right conferred by a license under these rules extends only to the manufacture and sale of fermented toddy and not other kinds of liquors. The Government shall be at liberty to dispose of the privilege of vending other liquors as they deem fit.

42. The licensee shall not during the term of his license have any direct or indirect interest in the privilege of vending arrack or foreign spirits or liquor or both at any place within five miles from his shop nor shall he permit any person having such interest within the said limits to hold any share or interest in his exclusive privilege of selling toddy. Central suppliers of arrack are prohibited from holding any interest in the retail vend of arrack or without the permission of the Government in the vend of other intoxicants in any part of their supply area and from employing any person who has such interest. This condition does not apply to Co-operative Societies.

43. The licensee or any other person employed under him shall not sell toddy for any sum less than Sixty-two (62) Naye Paise per imperial gallon.

44. The pots and other vessels in which toddy is kept for sale shall be maintained in a scrupulously clean condition.

45. The licensee shall be bound to comply with the requisition of the Board of Revenue to dispense with any agent or servant employed by him in the business of his contract or license whenever the Board of Revenue consider it necessary in the interest of the proper working of the contract or license to make such requisition.

46. The licensee shall not sell or otherwise transfer the subject matter of his contract or license without the written consent of the Assistant Excise Commissioner. No licensee shall farm out or sublet the whole or any portion of the privilege granted to him under the license.

47. The licensee shall on requisition by the Board of Revenue or any officer duly authorised by the Board deliver up the license for amendment or renewal.

48. The licensee shall not manufacture vinegar from toddy except under such conditions as may be laid down by the Board of Revenue. The distillation of spirits from toddy is absolutely prohibited.

49. The licensee shall not have pecuniary dealings of any kind with the officers of the Excise Department.

50. The amount for which the privilege has been purchased shall be payable by the licensee into the local Taluk or other Treasury as may be ordered from time to time. The rental due for the year 1st April 1960 to 31st March 1961 shall be payable in ten equal monthly instalments on or before the 10th day of each English Calendar month beginning from April 1960. In case of failure of payment interest will be charged from 11th. But no cancellation of the license or re-sale of the shop shall be ordered until after the 20th day of the month.

51. No remission or abatement of the rent shall be claimable by the licensee on any account whatever except what is contemplated under condition 59 (c) below.

52. Whenever the licensee has to pay money into a Treasury on account of his kist or tree tax or other dues in respect of the shop he shall produce before the treasury officer with the money a chalan signed by him, or his authorised agent for the payment countersigned by the Excise Inspector in Charge of the Range or other officer authorised by the Board of Revenue in that behalf not more than 3 days before its presentation.

53. Whenever the licensee fails to pay the kist due from him for any month together with interest due under clause 54 on or before the 20th day of the month, the Assistant Excise Commissioner subject to confirmation by the Board of Revenue may cancel the licence and order a resale at the risk of the licensee or direct the management of the business of the contract by the departmental agency or otherwise dispose of the same. All losses on account of such cancellation and resale or departmental management or other disposal of the privilege shall be borne by the defaulting licensee but he shall have no right to the gain, if any, which accrues. The whole of the deposit, if any, made at the commencement of the lease will be liable to forfeiture. The Assistant Excise Commissioner may however allow sales to continue or make such other arrangements as he deems fit pending resale or other disposal of the privilege. Any sum due by a licensee on account of kist or otherwise may be recovered from his deposit if any made by him at the commencement of the lease or collected under the Revenue Recovery Act. If any adjustment is made from the deposit the licensee shall be bound to replace the sum adjusted from his deposit within fifteen days of receipt of notice from the Excise Officer in charge of the Range in which his shop is situated.

54. Interest on all moneys due shall be payable at the rate of six per cent per annum.

55. Infraction of any of the conditions of the licence either by a licensee or by any person in his employment will entail on the licensee either;

(a) fine up to Rs. 50; or

(b) forfeiture of deposit, if any and cancellation of licence and resale or other disposal of the privilege at the risk of the licensee. When the licence is thus cancelled the amount still payable for the remainder of the term of the licence shall become due at once.

It shall be competent to the Board of Revenue to impose the above penalties. The Assistant Excise Commissioners and Excise Inspectors are also competent to fine the licensee up to Rs. 25 and Rs. 5 respectively at a time for infraction of any of the conditions of the licence either by a licensee or by any person under his employment.

Failure on the part of the licensee to pay up the amount of the fine if any, imposed upon him under this clause shall entail on him consequences similar to those described in clause 54 for failure to pay the kist due from him

56. The imposition of a fine or the forfeiture of the deposit or the cancellation of the licence under these provisions shall not relieve the licensee or his agent from liability to be proceeded for any specific offence committed against the Abkari Act or for any infringement of those provisions.

57 If the licensee shall be convicted of any offence under any law for the time being in force relating to [illegible] Revenue or subsequent to the licensee taking out his licence should it transpire that before the grant of such licence he was convicted of any such offence, the Board of Revenue may declare his licence forfeited. If the licensee is convicted under the Penal Code or after the issue of the licence to him should it transpire that, previous to such issue he was convicted under that law or was disqualified to hold a shop under clause 4 supra, such conviction or disqualification shall render him liable to forfeiture of the licence and also to the forfeiture of his deposit if the offence of which he is convicted or the disqualification which has been disclosed [illegible] in the opinion of the Board of Revenue renders him unfit to hold it. When a licence is forfeited under this clause the privilege shall be resold or otherwise disposed of at the risk of the licensee.

58. With the sanction of Government, the Board of Revenue may upon giving 15 days' notice revoke the [illegible] in which case a proportionate [illegible] of the fee [illegible] the licensee shall be refunded to him.

59. [illegible] Officers of and above the rank of [illegible] Officers in charge of units shall have authority to inspect licensed shops to examine the premises [illegible] and [illegible] under sale and [illegible] for and check the accounts kept in the shop [illegible] his agent or salesman shall on [illegible] produce before him the [illegible] under sale [illegible] taking stock of the same [illegible] in his licensed [illegible] of capacity as [illegible] Government.

61. The licensee shall be bound by all the rules which have been passed under the Travancore Abkari Act IV of 1073 as subsequently amended and continued in force by the State of Travancore-Cochin Administration and Application of Laws Act VI of 1125 and which may hereafter be passed under the said Act or under any law relating to Abkari revenue which may hereafter be passed or any orders passed by the Board of Revenue, State of Kerala.

62. The licensee may draw the toddy he requires for sale or may have it drawn under tree tapping licenses to be obtained under the rules relating to the tree tax system from trees marked out for his shop. He may purchase toddy from any licensed toddy-shop keeper on application to the Excise Inspector of the Range who will grant the required permits on proof of the necessity for the same. No toddy except the produce of trees marked by proper officer and tapped under a licence shall be kept in the shop or offered for sale or sold.

63. The licensee shall have at least 20 coconut or 40 palmyrah or 10 choondapana trees marked during each licensing period for the drawing of toddy for the use of his shop.

The failure on the part of any licensee to carry on sale in his shop for any period during the continuance of his licence shall not exempt him from the payment of the tree tax due on the minimum number of trees which have to be marked for his shop for each licensing period.

64. It shall be competent to the Board of Revenue to restrict the number of trees to be licensed for any shop should it be found that the number applied for by the shop holder is in excess of the actual requirements of the shop.

65. No licensee shall sell toddy unless he has taken out a tree tapping licence under the tree tax rules. The licence confers no right to the free use of any tree for the purpose of tapping. The licensee must make his own arrangements with the owner of the tree.

66. The licensee shall be responsible to Government for all instalments of fees due on account of tree tapping licenses granted on his application in his name or in the name of the nominee under the conditions set forth therein and in the rules relating thereto.

67. No woman shall be employed in any capacity in a Toddy Shop unless she be the contractor herself.

68. The licensee shall abide by the tree tax rules which are now in force or which may hereafter be passed.

69. The Co-operative Societies will be allowed the following concessions:—

(a) All the normal concessions for which Co-operatives in general are eligible would be extended to such Societies which obtain shops in auction.

(b) In addition they will be allowed to function with an advance deposit of only 1/10th (one tenth) of the total kist as against not less than 3/10th (three tenth) in the case of private contractors.

(c) As a further incentive to good working and a measure of encouragement to the Co-operatives the Government will also allow a remission of one half of the amount of the last instalment provided the payments due to the Government are made in time.

70. In order to ensure that real benefits accrue to the tappers all successful bidders will abide by the following conditions also :—

(1) Minimum wages including preparation charges will be paid as per the Minimum Wages Notification.

(2) When toddy is tapped outside a radius of half a mile from the shop the contractor shall make his own arrangements for transporting toddy.

(3) Tree rent and tree tax shall in all cases be paid by the contractor.

(4) The contractor shall provide the tapping accessories e. g. rope, clay, [illegible] etc.

(5) Bonus at prevailing rates at different localities will continue to be paid.

(6) Leave with wages shall be given at the existing rate subject to a minimum of five days per year.

(7) Remuneration at double the ordinary rates shall be given to the tappers on 'Independence Day' 'Republic Day' and Onam day.

(8) As regards accidents to tappers the provisions of the Workmen Compensation Act would apply.

71. The Board of Revenue shall also exercise the powers delegated to its subordinates if found necessary.

Govt. Secretariat,
Trivandrum, 7-3-1964.

By Order of the Governor,
K. K. Ramankutty
Secretary.

[illegible] 1960 [illegible] 1961 മാർച്ച് 31-ാം [illegible]

1073-ലെ 4-ാം [illegible]

[illegible] 1960 [illegible] 1961 മാർച്ച് 31-ാം [illegible]

[illegible]

ക്രമ നമ്പർ	പ്രദേശത്തിന്റെ പേര് (താലൂക്ക്)	[illegible]	തീയതി	
1	[illegible]	[illegible] ഓഫീസ്, [illegible]	1960 മാർച്ച്	[illegible]
2	കരുനാഗപ്പള്ളി	താലൂക്ക് ഓഫീസ്, കരുനാഗപ്പള്ളി	1960 മാർച്ച്	18
3	[illegible]	ടി [illegible]	1960 മാർച്ച്	19
4	[illegible]	ടി [illegible]	1960 മാർച്ച്	28
5	† [illegible]	ടി [illegible]	1960 മാർച്ച്	[illegible]
6	അമ്പലപ്പുഴ	ടി അമ്പലപ്പുഴ	1960 മാർച്ച്	24
7	† കൊച്ചിയും കണയന്നൂരും	[illegible] ഓഫീസ്, [illegible]	1960 മാർച്ച്	17
8	† മുകുന്ദപുരം	[illegible] ഓഫീസ്, ഇരിങ്ങാലക്കുട	1960 മാർച്ച്	22
9	[illegible]	താലൂക്ക് ഓഫീസ്, [illegible]	1960 മാർച്ച്	25
10	മാവേലിക്കര	ടി മാവേലിക്കര	1960 മാർച്ച്	26
11	* കോട്ടയം	ടി കോട്ടയം	1960 മാർച്ച്	25
12	* [illegible]	ടി [illegible]	1960 മാർച്ച്	25

* 2-2-1960-ലെ 5-ാം നമ്പർ ഗസററിൽ [illegible] താലൂക്കുകൾ ഒഴികെ.
† [illegible] താലൂക്കുകൾ മാത്രം.

ലേലവിൽപ്പന താഴെ ചേർത്തിരിക്കുന്ന വ്യവസ്ഥകൾക്കു വിധേയമായി നടത്തപ്പെടുന്നതാകുന്നു.

വിൽപ്പനയുടെ സാമാന്യ നിബന്ധനകൾ.

1. ലേലം വിളിക്കാൻ ഉദ്ദേശിക്കുന്ന ഓരോ ആളും നൂറു (100) രൂപ വീതം നിരതദ്രവ്യം ലേലസമയത്തിനു മുമ്പായി ഡിവിഷൻ ആഫീസിൽ 'എക്സൈസ്' കമ്മീഷണറുടെ പേരിൽ കെട്ടിവയ്ക്കുകയും ആ ഉദ്യോഗസ്ഥന്റെ പക്കൽനിന്നും ഒരു രശീതു വാങ്ങേണ്ടതും ആകുന്നു. ഈ രശീതുകൾ ലേലം വിളിക്കാൻ ഉദ്ദേശിക്കുന്ന ആളുകളെ ലേലം വിളിക്കുന്ന മുറിയിലേക്കു പ്രവേശിക്കുവാൻ പ്രവേശന ടിക്കറ്റുകളായും ഉപയോഗപ്പെടുത്തേണ്ടതാകുന്നു.

2. ഒരാൾ മറ്റൊരാൾക്കുവേണ്ടി ഏജന്റായി വിളിക്കുകയാണെങ്കിൽ ക്രമപ്രകാരം അധികൃതമായ മുക്ത്യാർ നാമം ലേലവിൽപ്പന നടത്തുന്ന ഉദ്യോഗസ്ഥന്റെ മുമ്പാകെ ഹാജരാക്കിയാൽ അല്ലാതെ അതു അനുവദിക്കുന്നതല്ല.

3. ലേലവിൽപ്പന നടത്തുന്ന ഉദ്യോഗസ്ഥൻ ലേലവിൽപ്പന ഇനങ്ങളുടെ വിൽപ്പനയുടെ ക്രമവും ലേലം വിളിക്കുന്ന മുറിയിൽവച്ചു വായിച്ചു കേൾപ്പിക്കേണ്ടതാകുന്നു.

4. ലേലത്തിൽ വിളിക്കാൻ ഉദ്ദേശിക്കുന്ന ആരെങ്കിലും,—

(1) അബ്കാരി ആക്ടിനോ അനുസരിച്ചുള്ളതും സമാധാനത്തിനു വിരുദ്ധമായ ഒരു കുറ്റത്തിനു കുറ്റക്കാരനായി ഒരു ക്രിമിനൽ കോർട്ടിനാൽ നിശ്ചയിക്കപ്പെട്ടിരിക്കുന്ന ആളോ ആകുന്നെങ്കിൽ,

(2) റവന്യൂ ബോർഡ് വക ഏതെങ്കിലും ചട്ടങ്ങളനുസരിച്ചുള്ള നിയമങ്ങൾ അനുസരിച്ച് ഏതെങ്കിലും ശിക്ഷ കൊടുക്കേണ്ട ആളുകളിൽ ഒരാൾ സ്വഭാവദൂഷ്യം ഉള്ളയാളോ ആണെങ്കിലോ,

(3) ചാരായ വകയ്ക്ക് അബ്കാരി വകയായോ ഏതെങ്കിലും കുടിശ്ശിക വരുത്തിയിരിക്കുകയോ ചെയ്തിട്ടുള്ളവരോ കുടിശ്ശിക കൊടുക്കാതിരിക്കുകയോ ചെയ്യുന്ന ആളോ,

(4) അബ്കാരി ഗവണ്മെന്റിന്റെ താല്പര്യത്തിനു ഹാനികരമായി പ്രവർത്തിക്കുന്ന സർക്കാർ ജീവനക്കാരനോ ആകുന്നെങ്കിൽ,

(5) അയാൾ ഒരു നല്ല പെരുമാറ്റക്കാരൻ അല്ലെങ്കിലോ,

(6) ഈ ചട്ടങ്ങൾ അനുസരിച്ച് ലേലത്തിൽ വിളിക്കാൻ നിരോധിക്കപ്പെട്ടിരിക്കുന്ന വല്ല ആളുടെയും ബിനാമിക്കു പ്രതിനിധിയായിരിക്കുന്ന എങ്കിലോ,

(7) ആ ഉദ്യോഗസ്ഥന്റെ അഭിപ്രായത്തിൽ അയാൾ ലേലത്തിൽ വിളിക്കുന്ന ആളുടെ ധനികത്വം സംശയാസ്പദവും തൃപ്തികരമല്ലാത്തതും ആകുന്നെങ്കിൽ ഉദ്യോഗസ്ഥൻ ആവശ്യപ്പെടുന്ന പ്രകാരമുള്ള ജാമ്യം കെട്ടിവയ്ക്കുന്നതിനും അയാൾക്കു കഴിവില്ലാതെ ഇരിക്കുന്ന പക്ഷം അല്ലെങ്കിൽ,

(8) അയാൾ 18 വയസ്സിനു താഴെയുള്ള ഒരാൾ ആകുന്നെങ്കിൽ,

മേൽ കാണിച്ചിട്ടുള്ള വല്ല കാരണങ്ങളാലും അങ്ങനെ വിളിക്കുന്നതിൽനിന്നു വിലക്കാതിരിക്കുന്നതിനു ലേലം നടത്തുന്ന ഉദ്യോഗസ്ഥനു അധികാരമുണ്ട്.

5. ലേലവിൽപ്പന നടത്തുന്ന ഉദ്യോഗസ്ഥൻ അതിനുള്ള ഓരോ ഇനത്തെയും പ്രത്യേകം പ്രത്യേകമായി ലേലം ചെയ്യുന്നതിനും ഏതെങ്കിലും ഒരു ലേലം 'വിളിച്ചു' കഴിഞ്ഞശേഷം ഉദ്യോഗസ്ഥനിലോ അതിനുവേണ്ട വകയിലോ ന്യായമായ കാരണത്താലോ വല്ല ന്യായമായ കാരണത്താലോ ലേലം നടത്തുന്ന ഉദ്യോഗസ്ഥനു മുമ്പോട്ടുള്ള ലേലം സ്വീകരിക്കാതിരിക്കാവുന്നതാകുന്നു.

6. കുത്തക ഇനങ്ങൾ ലേലം വിളിക്കണം എന്നുള്ളതു ലേലം നടത്തുന്ന ഉദ്യോഗസ്ഥൻ സമ്പ്രദായം പോലെ നിശ്ചയിക്കുന്നതാകുന്നു.

7. [illegible]

8. ലേലം നടത്തുന്ന ഉദ്യോഗസ്ഥനു കേട്ടു വിളിക്കുന്നതായി അതിന്റെ ഫലം ഉറപ്പിക്കപ്പെട്ടിട്ടുള്ള ആളുടെ പേരും, തുകയും വിളിച്ചു കഴിഞ്ഞ ഉടനെയും കഴിഞ്ഞിട്ടും ലേലം നടന്നതിന്റെ വിവരം ലിസ്റ്റിൽ ലേലം വിളിച്ച ഓരോ ഇനത്തിന്റെ എതിരായി എഴുതേണ്ടതാകുന്നു. ഈ ലിസ്റ്റിൽ ലേലം നടത്തുന്ന ഉദ്യോഗസ്ഥനും ലേലത്തിൽ വിളിക്കപ്പെട്ട ആളും ഉദ്യോഗസ്ഥനാൽ പ്രഖ്യാപിക്കപ്പെട്ട ആളുകളും ലേലസ്ഥലത്തുവച്ചു ഒപ്പിട്ടു തീയതി വയ്ക്കേണ്ടതാകുന്നു.

9. ലേലസ്ഥലത്തും ലേലസമയത്തും വല്ല തർക്കമുണ്ടായാൽ ലേലം നടത്തുന്ന ഉദ്യോഗസ്ഥന്റെ തീർപ്പ് അവസാനത്തേതായിരിക്കുന്നതാകുന്നു. വിളികളുടെ എണ്ണം കൂടിയ ഇനത്തെ വല്ല കാരണത്താലും ഉപേക്ഷിക്കുമ്പോൾ അതിനു മുമ്പുണ്ടായ ഉയർന്ന തുകയെ അംഗീകരിക്കയോ ആ ഇനത്തിന്റെ ലേലത്തെ വീണ്ടും നടത്തുകയോ ചെയ്യുന്നതാകുന്നു.

10. ലേലം നടത്തുന്ന ഉദ്യോഗസ്ഥൻ ലേലം വിളികളുടെ ഒടുവിലായി പ്രഖ്യാപിക്കുന്ന വാഗ്ദാനങ്ങളും വിളിക്കപ്പെട്ടതിനെ നിരസിക്കാൻ പാടില്ലാത്തതും അയാൾ ഉടൻതന്നെയും ആ ദിവസം അവസാനിക്കുന്നതിനു മുമ്പിലോ ലേലത്തുകയിൽ 10 ശതമാനത്തിൽ കുറയാത്ത ലേലം നടത്തുന്ന ഉദ്യോഗസ്ഥന്റെ അഭിപ്രായത്തിൽ ലേലം വിളിക്കപ്പെട്ട ആളിന്റെ ധനികത്വം സംശയാസ്പദമെന്നു തോന്നുന്നപക്ഷം 20 ശതമാനത്തിൽ കുറയാത്ത തുക (ഡിപ്പോസിറ്റ്) കെട്ടിവയ്ക്കേണ്ടതാകുന്നു. അയാൾ അങ്ങനെ ചെയ്തിട്ടില്ലെങ്കിൽ 1-ാം വകുപ്പനുസരിച്ച് അയാൾ കെട്ടിവച്ചിട്ടുള്ള നിരതദ്രവ്യത്തെ ഗവണ്മെന്റിലേക്കു കണ്ടുകെട്ടുകയും ലേലം നടത്തുന്ന ഉദ്യോഗസ്ഥൻ ആ വിൽപ്പനയുടെ അവകാശത്തെ ഉടൻതന്നെയോ പരസ്യപ്പെടുത്തുന്ന മറ്റൊരു ദിവസത്തിലോ വീണ്ടും ലേലത്തിനു വയ്ക്കുകയോ ചെയ്യുന്നതാകുന്നു. ആദ്യത്തെ ലേലത്തിൽ വിളിച്ചയാളിനു അങ്ങനെ വീണ്ടും വിൽക്കുന്നതിൽ നഷ്ടം ഉണ്ടാകുകയാണെങ്കിൽ വ്യത്യാസം ആ ലേലക്കാരനിൽനിന്നു ഈടാക്കുന്നതാകുന്നു. അങ്ങനെ വീണ്ടും ലേലത്തിൽ വിൽക്കുമ്പോൾ അയാളെ ലേലം വിളിക്കുന്നതിനു അനുവദിക്കുന്നതല്ലാതെയും വീണ്ടും ലേലത്തിൽ വിറ്റു കിട്ടുന്ന തുക കൂടുതലാണെങ്കിൽ അതിനു അയാൾക്കു യാതൊരു അവകാശവും ഉണ്ടായിരിക്കുന്നതല്ല.

11. ഒരു ലേലം അവസാനിച്ചതിനുശേഷം കഴിയുന്നതും വേഗത്തിൽ ലേലത്തിൽ വിളിക്കപ്പെടാത്ത എല്ലാവരുടെയും കെട്ടിവച്ച നിരതദ്രവ്യങ്ങൾ അവർക്കു തിരിച്ചു കൊടുക്കുന്നതും. ലേലത്തിൽ വിളിപ്പിക്കപ്പെട്ട എല്ലാവരുടെയും പ്രവേശന ടിക്കറ്റുകൾ അതേ സമയത്തുതന്നെ ആഫീസിന്റെ 'എക്സൈസ്' ഡിപ്പാർട്ട്മെന്റ് തിരികെ കൊടുക്കേണ്ടതും അവരോടു ഉടൻതന്നെ അവയെ റദ്ദു ചെയ്യുന്നതും ആകുന്നു.

12. റവന്യൂ ബോർഡ് സ്ഥിരപ്പെടുത്തിയതിനുശേഷം അല്ലാതെ ഗവണ്മെന്റിനു എതിരായി യാതൊരു വിൽപ്പനയും അവസാന തീർപ്പായിരിക്കുന്നതല്ല. യാതൊരു കാരണവും പറയാതെ വല്ല ലേലം വിളിയെയും അംഗീകരിക്കയോ നിരസിക്കയോ ചെയ്യുന്നതിനു റവന്യൂ ബോർഡിനു സ്വാതന്ത്ര്യം ഉണ്ടായിരിക്കുന്നതാകുന്നു. ലേലസമയം ലേലം ആളുടെ പേരിൽ സ്ഥിരപ്പെടുത്തുന്നതുവരെ ആവശ്യപ്പെട്ടിട്ടുള്ള നിരതദ്രവ്യങ്ങളെ കൂടാതെ കരാർ അനുസരിച്ച് അവരിൽനിന്നു ഈടാക്കേണ്ടിവരുന്ന തുകയ്ക്കു ജാമ്യമായി അവരുടെ സ്വത്തുക്കളിലെതെങ്കിലും ഒന്നോ മറ്റോ ബോധ്യപ്പെടുത്താനോ ഹാജരാക്കാനോ, അങ്ങനെ എന്തെങ്കിലും ഇടപാടുകളെപ്പറ്റി അറിയുന്നതായാൽ ആ കരാറനുസരിച്ച് ഈടാക്കേണ്ട തുകയോളം ആ ഇടപാട് അസാധുവായിരിക്കുന്നതും ആകുന്നു. ലേലം വിളികളെ റവന്യൂ ബോർഡ് അംഗീകരിക്കുകയും അംഗീകരിച്ച വിവരം ലേലം വിളിക്കാരനെ അറിയിക്കുകയും ചെയ്ത ഏതൊരു സംഗതിയിലും ലേലം വിളിക്കാരൻ മുൻകൂട്ടി അറിയിക്കുന്നതിനു മുമ്പായി ഒരു കാരണവും പറയാതെ അംഗീകരണത്തെ റവന്യൂ ബോർഡിനു പിൻവലിക്കാവുന്നതാകുന്നു.

13. ഓരോ വിൽപ്പനയെയും സ്ഥിരപ്പെടുത്തിയിട്ടുള്ള വിവരം കഴിയുന്നിടത്തോളം വേഗത്തിൽ രേഖാമൂലമായി ലേലത്തിൽ കൊണ്ടവനെ അറിയിക്കപ്പെടേണ്ടതാകുന്നു.

14. ലേലത്തിൽ കൊണ്ടവൻ മുമ്പു കെട്ടിവച്ചിട്ടുള്ള തുകയോടു കൂടിയാൽ മൂന്നു തവണയിൽ കുറയാത്തതുള്ള സാധു ലേലം സ്ഥിരപ്പെട്ടിരിക്കുന്ന വിവരം അയാളെ അറിയിച്ച ഉടനെയോ, 31-3-60-നു മുമ്പിലോ കെട്ടിവച്ച് ആവശ്യമുള്ള ഉടമ്പടി എഴുതിക്കൊടുക്കുകയും ലൈസൻസുകൾ വാങ്ങിക്കൊള്ളുകയും ചെയ്യേണ്ടതാണ്. സംഖ്യ കരാറനുസരിച്ചുള്ള ഇൻസ്റ്റാൾമെന്റുകൾ താഴെ 69 (ബി)-യിൽ വിവരിച്ച വിധത്തിലായിരിക്കുന്നതാണ്.

[illegible]

15. 10-ം, 14-ം [illegible]

16. [illegible]

17. [illegible]

18. [illegible]

[illegible]

19. [illegible]

20. [illegible]

21. [illegible]

22. [illegible]

23. [illegible]

24. [illegible]

25. [illegible]

[illegible]

26. [illegible]

27. 18 [illegible]

28. [illegible] 9 [illegible]

29. [illegible]

30. (a) [illegible]—

(1) [illegible]

(2) [illegible]

(3) [illegible]

(b) [illegible]—

(1) [illegible]

(2) [illegible]

(3) [illegible]

(c) [illegible]

(1) [illegible]

(2) 18 [illegible]

(3) [illegible]

(4) [illegible]

31. [illegible]

32. [illegible]

[illegible]

33. [illegible] 1960 [illegible] 30 [illegible]

34. [illegible]

35. [illegible]

36. [illegible]

37. [illegible]

38. [illegible]

39. [illegible]

40. [illegible]

41. [illegible]

42. [illegible] 5 [illegible]

43. [illegible] 62 [illegible]

44. [illegible]

45. [illegible]

46. [illegible]

47. [illegible]

48. [illegible]

49. [illegible]

50. [illegible] 1960 [illegible] 1961 [illegible] 10 [illegible] 1960 [illegible] 10 [illegible] 20 [illegible]

51. [illegible] 69 (സി) [illegible]

52. [illegible]

53. [illegible] 51 [illegible]

54. [illegible] 102 [illegible]

55. [illegible]

(എ) 50 [illegible]

(ബി) [illegible]

[illegible] 25 [illegible] 5 [illegible]

[illegible]

56. [illegible]

57. [illegible]

58. [illegible] 15 [illegible]

59. [illegible]

60. [illegible]

61. [illegible] 1125 [illegible] 1073 [illegible]

62. [illegible]

63. [illegible] 20 [illegible] 10 [illegible]

[illegible]

64. [illegible]

65. [illegible]

[illegible]

66. [illegible]

67. [illegible]

68. [illegible]

69. [illegible]

(എ) [illegible]

(ബി) [illegible]

(സി) [illegible]

70. [illegible]

(1) [illegible]

(2) [illegible]

(3) [illegible]

(4) [illegible]

(5) [illegible]

(6) [illegible]

(7) [illegible]

(8) [illegible]

71. [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

NOTICE OF THE SALE OF THE PRIVILEGE OF VENDING TODDY IN INDEPENDENT SHOPS UNDER THE TREE TAX SYSTEM DURING THE PERIOD 1st APRIL 1960 to 31st MARCH 1961.

In virtue of the powers conferred by Section 29 of the Cochin Abkari Act II of 1077 as subsequently amended and the powers vested in Government in this behalf notice is hereby given that the privilege of manufacturing and vending toddy during the period from 1st April 1960 to 31st March 1961 in independent shops within the tracts shown in the subjoined statement will be put up to public auction shop by shop by any Member of the Board of Revenue or by any Officer authorised by the Board of Revenue in that behalf at the places hereunder mentioned or at such other places as may be notified in the respective Excise Division Offices on the date hereunder mentioned. The Presidents of Co-operative Societies will be allowed to bid in auction, toddy shops, on behalf of such Societies which are certified as sound and capable of discharging their obligations, by the Deputy Registrar of Co-operative Societies having jurisdiction over the Society and on production of such certificate before the auctioning Officer, before the time of auction.

The number of independent shops for the sale of toddy in each of the tracts and also the limits within which the shops are to be located are fixed as per schedule annexed.

Sl. No.	Name of Tract (Taluk)	Place of auction	Date of auction
1	*† Kanayannur & Cochin	Excise Division Office, Ernakulam	17-3-1960
2	† Alwaye	Taluk Office, Alwaye	18-3-1960
3	Trichur	Excise Division Office, Trichur	21-3-1960
4	† Mukundapuram	Excise Range Office, Irinjalakuda	22-3-1960

* Only the shops situated in the erstwhile Cochin area.

† Excluding shops already notified in the Gazette No. 5 dated 2-2-1960.

THE AUCTION SALE WILL BE HELD SUBJECT TO THE CONDITIONS HEREINAFTER SET FORTH.

GENERAL CONDITIONS OF SALE.

1. Each intending bidder shall deposit a sum of Rs. 100 (one hundred) as earnest money with the Assistant Excise Commissioner of the Division before the time of sale and be shall obtain a receipt therefor from that officer. These receipts shall serve also as hall tickets for the admission of the intending bidders to the auction room.

2. Where a person bids as an agent for another he shall not be recognised unless he produces to the Officer conducting the sale a duly executed power of attorney from his principal.

3. The officer conducting the sale shall cause the notice of sale to be read out in the auction room before he commences the sale.

4. The Officer conducting the sale shall be at liberty to exclude any intending bidder on any of the following grounds:—

(1) that he has been convicted by a Criminal Court of offence or offences falling under the Penal Code and involving moral turpitude;

(2) that he has been convicted of any serious offence under the laws relating to excise revenue;

(3) that he is a defaulter in respect of any Abkari or Opium contract and is now in arrears;

(4) that he is a public servant in the active service of Government;

(5) that he is not a person of good repute;

(6) that he represents the interest of any person who is prohibited from bidding under these rules;

(7) that in the opinion of such officer such bidder is of doubtful solvency and he is unwilling to deposit such sum as is ordered to be deposited by the said officer;

(8) that he is a person below 18 years of age.

5. The Officer conducting the sale shall put up to auction separately the several items in the notice of sale. The Officer conducting the auction may at his discretion refuse to accept the bid of any person on the ground that his bid is purely speculative or malicious or for any other valid reason.

6. Upset prices will be fixed at the discretion of the officer conducting the sale.

7. The officer conducting the sale shall be at liberty to close the auction if he is satisfied that there has not been genuine or fair competition in which case he may publicly adjourn the sale to a specified hour on the following day or some other convenient day to be notified by him. He may in case of failure to procure satisfactory bids, dispose of shops by private negotiation to parties undertaking to abide by all the conditions of the notice of sale.

8. The officer conducting the sale shall as the auction proceeds enter in the sale list against each item put up to auction the name of the person declared by him to be the auction purchaser and the amount of his bid. The sale list shall be signed and dated at the place of sale by the officer conducting the sale and by the persons declared by him to be the auction purchasers.

9. In the case of any dispute as to the time and place of auction the decision of the officer conducting the sale shall be final. If for any reason the highest bid is rejected the next highest bid may be accepted or the item re-auctioned.

10. No person declared to be the auction purchaser by the officer conducting the sale shall withdraw from the offer and he shall at once or before the close of the day, make a deposit in cash equivalent to 10 per cent of the amount of his bid as an advance in the case of a bidder who in the opinion of the officer conducting the sale is a person of doubtful solvency. Should he fail to do so, the earnest money paid by him under clause 1 will be forfeited and the right of vend again put to auction by the officer conducting the sale either immediately or on a future date to be notified or otherwise disposed of at the discretion of the Board of Revenue. The defaulter will be debarred from bidding again for the same or any other Abkari privilege during the year and the shop will be resold at the defaulter's risk.

11. As soon as possible after an auction is concluded the earnest money paid by all unsuccessful bidders shall be returned to them. The hall tickets of the unsuccessful bidders should at the same time be returned to the Assistant Excise Commissioner who will cancel the same at once.

12. No sale shall be deemed final as against the Government unless confirmed by the Board of Revenue who shall be at liberty to accept or reject any bid without assigning any reason. Bidders in whose names auctions are confirmed at the time of the auction are not permitted to transfer or encumber any of their assets to the detriment of the amount that may become due under the contract including the deposit due from them and such transactions, if any, notified will be deemed void to the extent of the rent due under such contract. In any case in which the Board of Revenue has accepted a bid and such acceptance has

59. [illegible]

60. [illegible]

61. [illegible] 1125 [illegible] 1973 [illegible]

62. [illegible]

63. [illegible] 20 [illegible] 10 [illegible]

[illegible]

64. [illegible]

65. [illegible]

66. [illegible]

67. [illegible]

68. [illegible]

69. [illegible]

(a) [illegible]

(b) [illegible]

(c) [illegible]

70. [illegible]

(1) [illegible]

(2) [illegible]

(3) [illegible]

(4) [illegible]

(5) [illegible]

(6) [illegible]

(7) [illegible]

(8) [illegible]

71. [illegible]

[illegible]

[illegible]

NOTICE OF THE SALE OF THE PRIVILEGE OF VENDING TODDY IN INDEPENDENT SHOPS UNDER THE TREE TAX SYSTEM DURING THE PERIOD 1st APRIL 1960 to 31st MARCH 1961.

In virtue of the powers conferred by Section 29 of the Cochin Abkari Act II of 1077 as subsequently amended and the [illegible] powers vested in Government in this behalf notice is hereby given that the privilege of manufacturing and vending toddy during the period from 1st April 1960 to 31st March 1961 in independent shops within the tracts shown in the subjoined statement will be put up to public auction shop by shop by any Member of the Board of Revenue or by any Officer authorised by the Board of Revenue to [illegible] at the places hereunder mentioned or at such other places as may be notified in the respective Excise Division Offices on the date hereunder mentioned. The Presidents of Co-operative Societies will be allowed to bid in auction, Toddy Shops, on behalf of such Societies which are certified as sound and capable of discharging their obligation, by the Deputy Registrar of Co-operative Societies having jurisdiction over the Society and on production of such certificate before the auctioning Officer, before the time of auction.

The number of independent shops for the sale of toddy in each of the tracts and also the [illegible] in which the shops are to be located are fixed as per schedule annexed.

Sl. No.	Name of Tract (Taluk)	Place of auction	Date of auction
1	*† Kanayannur & Cochin	Excise Division Office, Ernakulam	17-3-1960
2	† Alwaye	Taluk Office, Alwaye	18-3-1960
3	Trichur	Excise Division Office, Trichur	21-3-1960
4	† Mukundapuram	Excise Range Office, Irinjalakuda	22-3-1960

* Only the shops situated in the erstwhile Cochin area.

† Excluding shops already notified in the Gazette No. 5 dated 1-1-1960.

THE AUCTION SALE WILL BE HELD SUBJECT TO THE CONDITIONS HEREINAFTER SET FORTH.

GENERAL CONDITIONS OF SALE.

1. Each intending bidder shall deposit a sum of Rs. 100 (one hundred) as earnest money with the Assistant Excise Commissioner of the Division before the time of sale and he shall obtain a receipt therefor from that officer. These receipts shall serve also as hall tickets for the admission of the intending bidders to the auction room.

2. Where a person bids as an agent for another he shall not be recognised unless he produces to the Officer conducting the sale a duly executed power of attorney from his principal.

3. The officer conducting the sale shall cause the notice of sale to be read out in the auction room before he commences the sale.

4. The Officer conducting the sale shall be at liberty to exclude any intending bidder on any of the following grounds.—

(1) that he has been convicted by a Criminal Court of offence or offences falling under the Penal Code and involving moral turpitude;

(2) that he has been convicted of any serious offence under the laws relating to separate revenue;

(3) that he is a defaulter in respect of any Abkari or Opium contract and is now in arrears;

(4) that he is a public servant in the active service of Government;

(5) that he is not a person of good repute;

(6) that he represents the interest of any person who is prohibited from bidding under these rules;

(7) that in the opinion of such officer such bidder is of doubtful solvency and he is unwilling to deposit such sum as is ordered to be deposited by the said officer;

(8) that he is a person below 18 years of age.

5. The Officer conducting the sale shall put up to auction separately the several items in the notice of sale. The Officer conducting the auction may at his discretion refuse to accept the bid of any person on the ground that his bid is purely speculative or malicious or for any other valid reason.

6. Upset prices will be fixed at the discretion of the officer conducting the sale.

7. The officer conducting the sale shall be at liberty to close the auction if he is satisfied that there has not been adequate or fair competition in which case he may publicly adjourn the sale to a specified hour on the following day or some other convenient day to be notified by him. He may in case of failure to procure satisfactory bids also dispose of shops by private negotiation to parties undertaking to abide by all the conditions of the notice of sale.

8. The officer conducting the sale shall as the auction proceeds enter in the sale list against each item put up for sale the name of the person declared by him to be the auction purchaser and the amount of his bid. The sale list shall be signed and dated at the place of sale by the officer conducting the sale and by the persons declared by him to be the auction purchasers.

9. In the case of any dispute at the time and place of auction the decision of the officer conducting the sale shall be final. If for any reason the highest bid is rejected the next highest bid may be accepted or the item re-auctioned.

10. No person declared to be the auction purchaser by the officer conducting the sale shall withdraw from the bid but he shall at once or before the close of the day, make a deposit in cash equivalent to 15 per cent of the amount of his bid or 30 per cent in the case of a bidder who in the opinion of the officer conducting the sale is a person of doubtful solvency. Should he fail to do so, the earnest money paid by him under clause 1 will be forfeited and the right of vend again put to auction by the officer conducting the sale either immediately or on a future date to be notified or otherwise disposed of at the discretion of the Board of Revenue. The defaulter will be debarred from bidding again for the same or any other [illegible] privilege during the year and the shop will be resold at the defaulter's risk.

11. As soon as possible after an auction is concluded the earnest money paid by all unsuccessful bidders shall be returned to them. The hall tickets of the unsuccessful bidders should at the same time be returned to the Assistant Excise Commissioner who will cancel the same at once.

12. No sale shall be deemed final as against the Government unless confirmed by the Board of Revenue who shall be at liberty to accept or reject any bid without assigning any reason. Bidders in whose names auctions are confirmed at the time of the auction are not permitted to transfer or encumber any of their assets to the detriment of the amount that may become due under the contract including the deposit due from them and such transactions, if any, notified will be deemed void to the extent of the sum due under such contract. In any case in which the Board of Revenue has accepted a bid and such acceptance has

been confirmed to the auction purchaser the Board of Revenue may without assigning any reason revoke the sanction before the installation of the auction purchaser in the business of the shop.

13. Every confirmation of sale shall be communicated to the auction purchaser in writing as soon as possible.

14. On receipt of the order of confirmation of sale, the auction purchaser shall deposit before 31st March 1960, such further sum as with the former deposit will make up not less than three instalments of the rent and execute the necessary agreement and take out the necessary licence. In the case of Societies the deposit shall be the sum as laid down in condition 69 (b) below. On the failure of the auction purchaser to make such deposit or take out such licence or execute such agreement as aforesaid the deposit already made by him will be forfeited and the shop resold or otherwise disposed of by the Assistant Excise Commissioner subject to confirmation by the Board of Revenue. In the case of the death of the auction purchaser before execution of the agreement the same shall be obtained from the heirs of the deceased unless the Assistant Excise Commissioner cancels the contract. In the case of the death of an auction purchaser after his installation in the business of the shop his heirs if any will be required to produce the necessary legal evidence in support of their claim and on production of the same the shop will be transferred to them. It is open to the Assistant Excise Commissioner to call upon them to furnish additional security if in his opinion it is necessary for the successful working of the contract. If the heirs fail to produce within reasonable time the necessary evidence in support of their claim or to deposit the additional security required, the Assistant Excise Commissioner subject to confirmation by the Board of Revenue may order the resale of the shop or otherwise dispose of the same at the risk of the original purchaser.

15. A resale or other disposal of the shop effected under clauses 13 and 14 will be at the risk of the original auction purchaser who cannot lay claim to any gain accruing from the resale but in the event of loss he will be required to make good the difference between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the resale purchaser. In the latter case the forfeited deposit will be deducted from the loss arising from the resale and the remainder if any, will be recoverable from the defaulter in the same manner as if it were an arrear of land revenue. Should however the forfeited deposit be greater than the loss by resale the whole of such deposit will be credited to the Government. When the rental fetched at a resale is higher than the original rental the amount of liability against the original purchaser will be calculated at the rate of the original rental up to the date of installation of the resale purchaser in the business of the shop. A defaulting auction purchaser will be similarly liable if his privilege is disposed of otherwise than by resale and such disposal results in loss to the Government as compared with the original sale. Disposal otherwise than by resale includes closure.

16. The purchaser of the privilege is liable to the penalties prescribed for breaches of the conditions under these rules though a formal licence may not have been issued to him. In the event of the purchaser's death after issue of the licence his heirs and successors shall be responsible for all moneys that may become due to Government under the terms of the licence. They shall also be liable for the proper observance of all the conditions of the licence unless the Assistant Excise Commissioner cancels the contract.

17. The account for which the privilege is sold shall remain in the books for all year.

18. The [illegible] referred to in clauses 10 and 14 will be taken as security for the due performance of the conditions of the licence and the payment of salestax under the General [illegible] on transactions under the [illegible] be a licensee on account of kist or [illegible] be adjusted from these deposits and [illegible] the licensee will be bound to replace [illegible] deposit within 15 days of receipt [illegible] of the notice in which [illegible] shall be credited toward

the kist due for the last three months or more instalments as the case may be of the contract unless previously appropriated under these rules or unless the deposits are required for adjustments towards any amount payable to Government including salestax on transactions under the licence.

CONDITIONS APPLICABLE TO LICENSEES FOR THE PRIVILEGE OF MANUFACTURING AND VENDING TODDY IN INDEPENDENT SHOPS.

9. The sale or possession (except subject to the rules applicable to unlicensed persons) by a licensee of any toddy outside the limits specified in his licence is prohibited.

10. No toddy shop shall be removed outside the limits laid in the schedule but with the previous sanction of the Board of Revenue or Assistant Excise Commissioner it may be removed from one place to another within such limits.

11. It shall be competent to the Board of Revenue to order the transfer of toddy shops from one locality to another or to alter the schedule limits of any shop or with the previous sanction of Government to order any shop to be closed in the interests of public peace or morality or on grounds of expediency.

12. Toddy shall be sold only in a suitable building of which the whole or the whole of a separable part shall be exclusively set apart for use as a shop.

13. The possession or sale upon any licensed premises of any liquor other than that to which the licence relates or of any sweet or unfermented toddy is prohibited.

14. A sign-board of the dimensions not exceeding 3′ x 2′ may be displayed only on the main frontage of the shop. The Board should have a black background with the name and number of the shop and the name of the licensee written in white letters. The Board should not contain any other matter. The licence must be hung up in a conspicuous place within.

15. All toddy kept or offered for sale should be of good quality and unadulterated. Nothing shall be added to it to increase its intoxicating power or for any other purpose.

16. Every Officer authorised to inspect shops shall have authority to take possession of any toddy found unfit for consumption or suspected to have been tampered with. The members of the Board of Revenue, the Deputy Commissioner the Assistant Excise Commissioners, Excise Inspectors in charge of Ranges, and Preventive Officers in charge of Units are empowered to destroy any liquor kept in shops and found to be unfit for consumption or which has been tampered with.

17. The sale or transport of toddy by persons below the age of 18 or persons suffering from leprosy or other contagious disease and the employment of such persons in shops for the sale or transport of the toddy are prohibited.

18. The Assistant Excise Commissioner may fix the working hours of shops in each area according to his discretion subject to the condition that the total working hours shall not exceed twelve hours in a day and no shop shall open earlier than 8 a. m. or close later than 9 p. m. except on special occasions like fairs and festivals.

19. No drunkenness, riot, or gambling shall be permitted within the shops and no person of notoriously bad character shall be permitted to meet or remain therein. Intimation of any offence committed or of the presence of habitual offenders or ill-ordered persons shall be given by the licensed shop keepers to the nearest Magistrate or Police Station. No person shall be admitted or allowed to remain in any shop for any illegal or immoral purpose.

20. No toddy shall be sold or given—

(a) without the permission in writing of the Commanding Officer or of some person duly authorised by him in that behalf, to—

(i) any non-commissioned officer, private or soldier;

(2) any Camp follower ;

(3) any member of the families of any of the aforesaid persons.

(b) Whilst on duty to—

(1) any non-commissioned officer, [illegible] or soldier [illegible] of the Police Force ;

(2) any officer of the Excise Department,

(3) any servant of a Railway company

(c) In any circumstances to—

(1) any Village watcher or [illegible] of the Police ;

(2) any person under 18 years of age ;

(3) any insane person ; or

(4) any person known or believed to be intoxicated.

31. Shops situated on or adjacent to the line of march shall be closed as may be ordered by the Board of Revenue while a Regiment or detachment of Defence Forces [illegible] is passing or is encamped in the vicinity. Every shop keeper shall on his own motion close his shop when there is riot or disturbance in the neighbourhood.

32. No toddy in excess of the quantity prescribed by Government for possession without a licence, viz., half a gallon or 24 drams shall be allowed to be removed by any person at any one time from any licensed premises without a valid permit obtained from the officer in charge of the Excise Range or Division within the range or within the Division respectively. The licensee is not competent to issue permits under this rule.

33. Every shop shall be kept open as prescribed in clause 18 unless its temporary or permanent closure is authorised or ordered by the Board of Revenue. In every shop such supply of toddy as the Board of Revenue or the Assistant Excise Commissioner in charge of the Division may consider sufficient to meet the local requirements shall be maintained. Shops not opened before the 1st May 1960 and shops once opened but in which the sales have been discontinued for more than 30 days consecutively shall be liable to be resold at the risk of the licensees.

34. No toddy shall be sold in shops except for cash.

35. Every licensee shall maintain in his shop from day to day true accounts of the transactions which shall be written in ink in the form prescribed by the Board of Revenue. Such accounts shall be in printed books which can be obtained from the Excise Department on payment of cost price and shall be produced for the inspection of the officers authorised to inspect such shops.

36. Such returns and information as may be required by the Board of Revenue and Excise Officers from time to time shall be furnished by every licensee.

37. Every licensee shall be bound to report to the Board of Revenue or the Assistant Excise Commissioner in charge of the Division, all instances which come to his knowledge of any person employed by him in the cartage or sale of toddy committing breaches of the Abkari or opium laws or rules passed thereunder and to comply with any order of the Board of Revenue or the Assistant Excise Commissioner in charge of the Division to discontinue the employment of such person.

38. The licensee shall maintain in his shop an inspection note-book with the pages numbered consecutively for inspecting officers to enter their remarks in.

39. It shall be competent to the Board of Revenue to set aside, modify or otherwise revise an order passed by any Excise Officer subordinate to the Board.

40. No toddy other than that drawn from the cocoanut, palmyrah or choondapana palms shall be sold by the licensee.

41. The right conferred by a license under these conditions [illegible] only to the retail vending of [illegible] toddy [illegible] other kinds of liquors. The Government [illegible] to dispose of the privilege of vending other liquors as they think fit.

42. The licensee shall not during the term of his license [illegible] direct or indirect interest in the [illegible] of arrack or foreign spirit or liquors or both [illegible] be sold from his shop or [illegible] persons [illegible] such interest within the said limits [illegible] in his exclusive privilege of selling toddy. [illegible] of arrack are prohibited from holding any interest in the retail vend of arrack or without the permission of the Government in the vend of other intoxicants in any part of [illegible] and [illegible] excepting one person [illegible] This condition does not apply to Co-operative Societies.

43. The licensee or any other person employed under him shall not sell toddy for any sum less than Fifty Paise Sixty-five (65) per Imperial gallon.

44. The pots and other vessels in which toddy is kept for sale shall be maintained in a scrupulously clean condition.

45. The licensee shall be bound to comply with the requisition of the Board of Revenue to dispense with any agent or servant employed by him in the business of his contract or license whenever the Board of Revenue considers it necessary in the interest of the proper working of the contract or license to make such requisition.

46. The licensee shall not sell or otherwise transfer the subject matter of his contract or license without the written consent of the Assistant Excise Commissioner. No licensee shall lease out or sublease the whole or any portion of the privilege rented to him under the license.

47. The licensee shall on requisition by the Board of Revenue or any officer duly authorised by the Board deliver up the license for emendment or renewal.

48. The licensee shall not manufacture vinegar from toddy except under such conditions as may be laid down by the Board of Revenue. The distillation of spirit from toddy is absolutely prohibited.

49. The licensee shall not have pecuniary dealings of any kind with the officers of the Excise Department.

50. The amount for which the privilege has been purchased shall be payable by the licensee into the local Taluk or other Treasury as may be ordered from time to time. The rental due for the year 1st April 1960 to 31st March 1961 shall be payable in ten equal monthly instalments on or before the 10th day of each English Calendar month beginning from April 1960. In case of failure of payment interest will be charged from 11th. But no cancellation of the licence [illegible] resale of the shop shall be ordered until after the 20th d[illegible] the month.

51. No remission or abatement of the rent shall be claimable by the licensee on any account whatever, except what is contemplated under clause 69 (1).

52. Whenever the licensee has to pay money into a Treasury on account of his kist or tree tax or other dues in respect of the shop he shall produce before the treasury officer, with the money a chalan signed by him or his authorised agent for the payment countersigned by the Excise Inspector in charge of the Range or other officer authorised by the Board of Revenue in that behalf not more than 3 days before its presentation.

51. Whenever the licensee fails to pay the kist due from him for any month together with interest due under clause 50 on or before the 20th day of the month, the Assistant Excise Commissioner may cancel the license and order a resale at the risk of the licensee or direct the management of the business of the contract by the departmental agency or otherwise dispose of the same. All losses on account of such cancellation and resale or departmental management or other disposal of the privilege shall be borne by the defaulting licensee but he shall have no [illegible] the gain, if any, which accrues. The whole of the deposit, if any, made at the commencement of the lease, will be liable to forfeiture. The Assistant Excise Commissioner subject to confirmation by the Board of Revenue may however allow sale to continue or make such other arrangements as he deems fit pending resale or other disposal of the privilege. Any sum du[illegible]

by a licensee on account of kist or otherwise may be recovered from his deposit if any made by him at the commencement of the lease or collected under the Revenue Recovery Act. If any adjustment is made from the deposit the licensee shall be bound to replace the sum adjusted from his deposit within fifteen days of receipt of notice from the Excise Officer in charge of the Range in which his shop is situated.

54. Interest on all moneys due shall be payable at the rate of six per cent per annum.

55. Infraction of any of the conditions of the licence either by a licensee or by any person in his employment will entail to the licensee either—

(a) fine up to Rs. 50, or

(b) forfeiture of deposit, if any and cancellation of licence and resale or other disposal of the privilege at the risk of the licensee. When the licence is thus cancelled the amount still payable for the remainder of the term of the licence shall become due at once.

It shall be competent to the Board of Revenue to impose the above penalties. The Assistant Excise Commissioners and Excise Inspectors are also competent to fine the licensee up to Rs. 25 and Rs. 5 respectively at a time for infraction of any of the conditions of the licence either by a licensee or by any person under his employment.

Failure on the part of the licensee to pay up the amount of the fine if any, imposed upon him under this clause shall entail on him consequences similar to those described in clause 54 for failure to pay the kist due from him.

56. The imposition of a fine or the forfeiture of the deposit or the cancellation of the licence under these provisions shall not relieve the licensee or his agent from liability to be prosecuted for any specific offence committed against the Abkari Act or for any infringement of these provisions.

57. If the licensee shall be convicted of any offence under any law for the time being in force relating to separate Revenue or subsequent to the licensee taking out his licence should it transpire that before the grant of such licence he was convicted of any such offence, the Board of Revenue may declare his licence forfeited. If the licensee is convicted under the Penal Code or after the issue of the licence to him should it transpire that, previous to such issue he was convicted under that law or was disqualified to hold a shop under clause 4 supra, such conviction or disqualification shall render him liable to forfeiture of the licence and also to the forfeiture of his deposit if the offence of which he is convicted or the disqualification which has been disclosed is such as in the opinion of the Board of Revenue renders him unfit to hold it. When a licence is forfeited under this clause the privilege shall be resold or otherwise disposed of at the risk of the licensee.

58. With the sanction of Government, the Board of Revenue may upon giving 15 days' notice revoke the licence in which case a proportionate part of the fee paid by the licensee shall be refunded to him.

59. All Excise Officers of and above the rank of Preventive Officers in charge of units shall have authority to inspect licensed shops to examine the premises, to test measures in use and the articles under sale and to call for and check the accounts kept in the shop. The licensee or his agent or salesman shall on requisition by the inspecting officer produce before him the whole stock in hand of the article under sale and afford him every facility for taking stock of the same.

60. The licensee shall possess or use in his licensed premises only such standard measures of capacity as may from time to time be prescribed by Government.

61. The licensee shall be bound by all the rules which have been passed under the Cochin Abkari Act I of 1077 as subsequently amended and continued in force in the State of Travancore-Cochin Administration and Application of Laws Act VI of 1125 and which may hereafter be passed under the said Act or any other law relating to Abkari revenue which may hereafter be passed or any orders passed by the Board of Revenue.

62. The licensee may draw the toddy he requires for sale at the shop if drawn under tree tapping licence to be obtained under the rules relating to the tree tax system from trees marked out for his shop. He may purchase toddy from any licensed toddy shop-keeper on application to the Excise Inspector of the Range who will grant the required permits on proof of the necessity for the same. No toddy except the produce of trees marked by proper officers and tapped under a licence shall be kept in the shop or offered for sale or sold.

63. The licensee shall have at least one coconut or palmyrah ... to choondapana trees marked during each licensing period for the drawing of toddy for the use of his shop.

The failure on the part of any licensee to carry on sale in his shop for any period during the continuance of his licence shall not exempt him from the payment of the tree tax due on the minimum number of trees which have to be marked for his shop in each licensing period.

64. It shall be competent to the Board of Revenue to restrict the number of trees to be licensed for any shop should it be found that the number applied for by the shop holder is in excess of the actual requirements of the shop.

65. No licensee shall sell toddy unless he has taken out a tree tapping licence under the tree tax rules. The licence confers no right to the licensee of any tree for the purpose of tapping. The licensee must make his own arrangements with the owner of the tree.

66. The licensee shall be responsible to Government for all instalments of fees due on account of tree tapping licences granted on his application in his name or in the name of his servants under the conditions set forth therein and in the rules relating thereto.

67. No women shall be employed in any capacity in a Toddy Shop unless she be the Contractor herself.

68. The licensee shall abide by the tree tax rules which are now in force or which may hereafter be passed.

69. The co-operative Societies will be allowed the following concessions:—

(a) All the normal concessions for which Co-operatives in general are eligible would be extended to such Societies which obtain shops in auction.

(b) In addition they will be allowed to function with an advance deposit of only 1/10 (one tenth) of the total kist as against not less than 3/10th (three tenth) in the case of private contractors.

(c) As a further incentive to good working and a measure of encouragement to the Co-operatives the Government will also allow a remission of one half of the amount of the last instalment provided the payments due to the Government are made in time.

70. In order to ensure that real benefits accrue to the tappers all successful bidders will abide by the following conditions also:—

(1) Minimum wages including preparation charges will be paid as per the Minimum Wages Notification.

(2) When toddy is tapped outside a radius of half a mile from the shop the contractor shall make his own arrangements for transporting toddy.

(3) Tree pattam and tree tax shall in all cases be paid by the contractor.

(4) The contractor shall provide the tapping accessories e. g. rope, clay, muttam etc.

(5) Bonus at prevailing rates at different localities will continue to be paid.

(6) Leave with wages shall be given at the existing rate subject to a minimum of five days per year.

(7) Remuneration at double the ordinary rates shall be given to the tappers on Independence Day, Republic Day and Onam day.

(8) As regards accidents to tappers the provisions of the workmen Compensation Act would apply.

71. The Board of Revenue shall also exercise the powers delegated to its subordinates if found necessary.

Government Secretariat, Trivandrum 7-3-1960.

By Order of the Governor,

K. K. RAMANKUTTY,
Secretary.

കള്ളുഷാപ്പുകളുടെ വില്പന നോട്ടീസ്.

കൊച്ചി പ്രദേശത്തെ അബ്കാരി, (കള്ള്) വില്പന ഫലങ്ങളെപ്പററിയുള്ള പരസ്യം.

1077-ലെ 1-ാം ആക്ററായ കൊച്ചി അബ്കാരി ആക്ററ് 29-ാം വകുപ്പു പ്രകാരവും, ഇതു സംബന്ധമായി സിദ്ധിച്ചിട്ടുള്ള മററു സകല അധികാരങ്ങളും പ്രകാരവും, കേരള ഗവൺമെൻറിൽ നിന്നും പരസ്യപ്പെടുത്തുന്നതെന്തെന്നാൽ,

1960-ാമാണ്ട് ഏപ്രിൽ മാസം 1-ാം തീയതി മുതൽ 1961-ാമാണ്ട് മാർച്ചുമാസം 31-ാം തീയതി വരെയുള്ള കാലത്തേക്ക് കള്ള് വില്പന നടത്തുവാൻ അവകാശമുള്ള സ്വതന്ത്രമായുള്ള കള്ളുഷാപ്പുകളും അവ സ്ഥാപിക്കേണ്ട സ്ഥലവും ഇതിനോട് അനുബന്ധിച്ചിട്ടുള്ള പട്ടികയിൽ നിശ്ചയിച്ചിട്ടുള്ളതും, ടി ഷാപ്പുകൾ, താഴെ വിവരിക്കുന്ന സ്ഥലങ്ങളിൽവെച്ചു, അതാതു എക്സൈസ് ഡിവിഷൻ ആഫീസിൽ പരസ്യപ്പെടുത്തുന്ന [illegible] ലേലം ഏതെങ്കിലും സ്ഥലങ്ങളിൽ വെച്ചു, താഴെ വിവരിക്കുന്ന തീയതികളിൽ [illegible] വിവരിച്ചിട്ടുള്ള [illegible] ലേലം വിളിച്ച് വില്ക്കപ്പെടുന്നതാകുന്നു [illegible] സർക്കാർ [illegible] ലേലം നടത്തുന്ന ഉദ്യോഗസ്ഥന്റെ മുമ്പിൽ [illegible] ഷാപ്പുകളുടെ ലേലത്തിൽ [illegible].

നമ്പർ	പ്രദേശത്തിന്റെ പേര്	ലേലം നടത്തുന്ന സ്ഥലം	ലേലതീയതി
1.	കൊച്ചിയും (ഫോർട്ടുകൊച്ചി ഒഴികെ) കണയന്നൂരും, (മുൻകൊച്ചി പ്രദേശത്തിൽ ഉൾപ്പെട്ടിരുന്ന സ്ഥലങ്ങൾ മാത്രം)	എക്സൈസ് ഡിവിഷൻ ആഫീസ്, എറണാകുളം.	1960 മാർച്ച് 17.
2.	ആലുവാ (മുൻ കൊച്ചി പ്രദേശത്തിൽ ഉൾപ്പെട്ടിരുന്ന സ്ഥലങ്ങൾ മാത്രം)	താലൂക്ക് കച്ചേരി, ആലുവ.	1960 മാർച്ച് 18.
3.	തൃശ്ശിവപേരൂർ.	എക്സൈസ് ഡിവിഷൻ ആഫീസ്, തൃശ്ശിവപേരൂർ	1960 മാർച്ച് 21
4.	മുകുന്ദപുരം (മുൻ കൊച്ചി പ്രദേശം മാത്രം)	എക്സൈസ് റേഞ്ചാഫീസ്, ഇരിങ്ങാലക്കുട.	1960 മാർച്ച് 22.

(2-2-60-ലെ 5-ാം നമ്പർ ഗസററിൽ പരസ്യപ്പെടുത്തിയ ഷാപ്പുകൾ ഒഴികെ)

ലേലവില്പന താഴെ ചേർത്തിരിക്കുന്ന വ്യവസ്ഥകൾക്കു വിധേയമായി നടത്തപ്പെടുന്നതാകുന്നു.

വില്പനയ്ക്കുള്ള സാമാന്യനിബന്ധനകൾ.

1. ലേലം വിളിക്കുന്നവർ ഉദ്ദേശിക്കുന്ന ഓരോ ഷാപ്പിനും (100) നൂറു രൂപാ വീതം നിരതദ്രവ്യം ലേലത്തീയതിക്കു മുമ്പായി ഡിവിഷൻ അസിസ്റ്റന്റ് എക്സൈസ് കമ്മീഷണറുടെ മുമ്പാകെ കെട്ടിവയ്ക്കേണ്ടതും ആ ഉദ്യോഗസ്ഥന്റെ പക്കൽനിന്നും ആ വകയ്ക്ക് ഒരു രസീതു വാങ്ങേണ്ടതും ആകുന്നു. ഈ രസീതുകൾ ലേലം വിളിക്കുന്നവർ ഉദ്ദേശിക്കുന്ന ഷാപ്പുകളെ ലേലം വിളിക്കുന്ന മുറിയിലേക്ക് പ്രവേശിക്കുവാൻ പ്രവേശന ടിക്കററുകളായും ഉപയോഗപ്പെടുത്തേണ്ടതാകുന്നു.

2. ഓരോ മററാരാൾക്കുംവേണ്ടി പ്രതിനിധിയായി വിളിക്കുന്നവരോ [illegible] അധികൃതമായ മുക്ത്യാർനാമം അയാൾ ലേലവില്പന നടത്തുന്ന ഉദ്യോഗസ്ഥന്റെ മുമ്പാകെ ഹാജരാക്കിയാൽ അല്ലാതെ അയാളെ അനുവദിക്കുന്നതല്ല.

3. ലേലവില്പന നടത്തുന്ന ഉദ്യോഗസ്ഥൻ ലേലവില്പന [illegible] വില്പനയ്ക്കുള്ള പരസ്യത്തെ ലേലം വിളിക്കുന്ന മുറിയിൽ വച്ച് വായിച്ചു കേൾപ്പിക്കേണ്ടതാകുന്നു.

4. ലേലത്തിൽ വിളിക്കുന്നവർ ഉദ്ദേശിക്കുന്ന ആളുകൾ—

(1) [illegible] ക്രിമിനൽ നിയമം അനുസരിച്ചുള്ളതും [illegible] കുററം ചെയ്തതായി ഒരു ക്രിമിനൽ കോടതിയാൽ നിശ്ചയിക്കപ്പെട്ടിരിക്കുന്ന ആളും ആകരുതെന്നും,

(2) [illegible] സംബന്ധിച്ചുള്ള നിയമങ്ങൾ അനുസരിച്ച് [illegible] കുററം [illegible] സ്ഥാപിക്കപ്പെട്ടിട്ടില്ലെന്നും,

(3) [illegible] സംബന്ധിച്ച് [illegible] കുടിശ്ശിക [illegible] ചെയ്യുന്ന [illegible],

(4) [illegible] ഗവൺമെൻറിന്റെ [illegible] സർക്കാർ [illegible] എന്നും,

(5) അയാൾ ഒരു [illegible] അല്ലെന്നും,

(6) [illegible] അനുസരിച്ച് ലേലത്തിൽ വിളിക്കുന്നവർ [illegible] വല്ല [illegible] പ്രതിനിധിയായിരിക്കരുത് എന്നും,

(7) ആ ഉദ്യോഗസ്ഥന്റെ [illegible] ലേലത്തിൽ വിളിക്കുന്ന [illegible] ഉദ്യോഗസ്ഥൻ [illegible] പ്രകാരമുള്ള [illegible],

(8) അയാൾ 18 വയസ്സിനു മേലുള്ള [illegible] ആകണം എന്നും,

ഉള്ള [illegible] വല്ല [illegible] വിളിക്കുന്നതിൽ ഉൾപ്പെടുന്നതിനെതിരായി ലേലം നടത്തുന്ന ഉദ്യോഗസ്ഥനു് അധികാരമുണ്ട്.

5. ലേലവില്പന നടത്തുന്ന ഉദ്യോഗസ്ഥൻ [illegible] ഓരോ ഇനത്തെയും പ്രത്യേകം പ്രത്യേകമായി ലേലം ചെയ്യുന്നതാകുന്നു. ഏതെങ്കിലും ഒരാൾ ലേലം വിളിച്ചു [illegible] വല്ല ന്യായമായ കാരണത്താലോ ലേലം നടത്തുന്ന ഉദ്യോഗസ്ഥന് [illegible] ലേലം സ്വീകരിക്കാതിരിക്കാവുന്നതാകുന്നു.

6. [illegible] ലേലം വിളിക്കണം എന്നുള്ളത് ലേലം നടത്തുന്ന ഉദ്യോഗസ്ഥൻ [illegible] നിശ്ചയിക്കാവുന്നതാകുന്നു.

7. [illegible] ലേലം വിളിക്കുന്നവരിൽ [illegible] ലേലം നടത്തുന്ന ഉദ്യോഗസ്ഥനു [illegible] ലേലത്തെ നിറുത്തുന്നതിനും, [illegible] ആ ഉദ്യോഗസ്ഥൻ പരസ്യപ്പെടുത്തുന്ന മററു വല്ല [illegible] ആ ലേലം നടത്തുന്നതിനുള്ള വിവരം പരസ്യമായി [illegible] ആ ഉദ്യോഗസ്ഥനു് സ്വാതന്ത്ര്യമുണ്ട്. [illegible] ലേലപരസ്യത്തിലെ വ്യവസ്ഥകൾ അനുസരിക്കുവാൻ [illegible] അദ്ദേഹത്തിനു ഷാപ്പുകൾ വിൽക്കാവുന്നതാണ്.

8. ലേലം നടത്തുന്ന ഉദ്യോഗസ്ഥൻ ലേലം വിളിക്കുവാൻ [illegible] നിശ്ചയിക്കപ്പെട്ടിട്ടുള്ള [illegible] ലേലം വിളിക്കു [illegible] ലേലം വിളിച്ച [illegible] ആയി [illegible] ലേലം നടത്തുന്ന ഉദ്യോഗസ്ഥനും ലേലത്തിൽ വിളിക്കു[illegible] ആ ഉദ്യോഗസ്ഥനാൽ പ്രഖ്യാപിക്കപ്പെട്ട [illegible] ലേലസംഖ്യ [illegible] വയ്ക്കേണ്ടതാകുന്നു.

9. ലേലസ്ഥലത്തും ലേലസമയത്തും വല്ല തർക്കവുമുണ്ടായാൽ ലേലം നടത്തുന്ന ഉദ്യോഗസ്ഥന്റെ തീർച്ച അവസാനത്തിൽ ചുരുക്കാനുള്ളതാകുന്നു. വിളിക്കപ്പെട്ട ഏതെങ്കിലും [illegible] വല്ല കാരണത്താലും [illegible] അതിനടുത്ത ഏതെങ്കിലും [illegible] അംഗീകരിക്കാതെ ആ ഇനത്തെ വീണ്ടും ലേലത്തിനു വെച്ചു നടത്തുകയോ ചെയ്യാവുന്നതാകുന്നു.

10. ലേലം നടത്തുന്ന ഉദ്യോഗസ്ഥൻ ലേലം വിളിക്കുന്ന [illegible] ആയി പ്രഖ്യാപിക്കുന്ന [illegible] വിളിക്കപ്പെട്ടതിനു [illegible] അയാൾ [illegible] ലേലത്തുകയുടെ 10 ശതമാനം ലേലം നടത്തുന്ന ഉദ്യോഗസ്ഥന്റെ അടുക്കൽ [illegible] 20 ശതമാനം (ഡെപ്പോസിറ്റ്) കെട്ടിവയ്ക്കേണ്ടതാകുന്നു. അയാൾ [illegible] കെട്ടിവച്ചിട്ടുള്ള നിരതദ്രവ്യം [illegible].

[illegible]

11. [illegible]

12. [illegible]

13. [illegible]

14. [illegible] 31-3-1960 [illegible] 69(ബി) [illegible]

15. 10-ഉം, 14-ഉം വകുപ്പുകൾ [illegible]

16. [illegible]

17. [illegible]

18. 10-ഉം, 14-ഉം വകുപ്പുകളിൽ [illegible] 1125-ലെ 11-ാം [illegible] 15 [illegible]

[illegible]

19. [illegible]

[illegible]

38. [illegible]

39. [illegible]

40. [illegible]

41. [illegible]

42. [illegible]

43. [illegible]

44. [illegible]

45. [illegible]

46. [illegible]

47. [illegible]

48. [illegible]

49. [illegible]

50. [illegible] 1960 [illegible] 1961 [illegible] 31 [illegible] 10 [illegible] 1960 [illegible] 20 [illegible]

51. [illegible] 49 [illegible]

52. [illegible]

53. [illegible] 51 [illegible]

54. [illegible] 102 [illegible]

55. [illegible]

(എ) 50 [illegible]

(ബി) [illegible]

[illegible]

[illegible]

[illegible]

56. [illegible]

57. [illegible]

58. [illegible]

59. [illegible]

60. [illegible]

61. [illegible] 1125 [illegible]

[illegible] 1077 [illegible]

62. [illegible]

63. [illegible] 20 [illegible] 40 [illegible] 10 [illegible]

[illegible]

64. [illegible]

65. [illegible]

66. [illegible]

67. [illegible]

68. [illegible]

69. [illegible]

(a) [illegible]

(b) [illegible]

(c) [illegible]

70. [illegible]

(1) [illegible]

(2) [illegible]

(3) [illegible]

(4) [illegible]

(5) [illegible]

(6) [illegible]

(7) [illegible]

(8) [illegible]

71. [illegible]

[illegible]

[illegible]

[illegible]

—3—1960.

[illegible]

[illegible]

[illegible]

[illegible]